

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, et al.,	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 1:14-CV-254
	§	
UNITED STATES OF AMERICA, et al.,	§	
<i>Defendants.</i>	§	
	§	

ORDER

Before the Court is Mitchell Williams’ “Petition for Waiver of Fees/Costs—Affidavit of Indigency,” filed in conjunction with his Notice of Appeal to the Fifth Circuit Court of Appeals. [Doc. No. 172]. Williams previously moved to intervene in the above-cited action on December 29, 2014. [Doc. No. 40]. This Court denied his motion. [Doc. No. 75]. Williams subsequently filed a Motion for Reconsideration of the Court’s denial of his intervention or, alternatively, for this Court to dismiss and re-caption the case “Mitchell Williams v. Mickey Mouse Time, Et Al., Defendants.” [Doc. No. 135]. In denying that motion, the Court explained—as it has done with all putative interveners—that Williams’ pleadings would instead be reviewed as if he were *amicus curiae*. [Doc. No. 142].

In the present Petition, Williams submits a two-page, notarized form that appears to be a form for waiving court fees and costs in the state of Wisconsin. On that form, he styles the case as “Mitchell Williams v. State of Texas, et al., United States,” checks two boxes claiming to currently be receiving supplemental security income and medical assistance, and checks a box that his financial situation “has not changed since [he] became eligible for this program.” Other

than his signature as affiant and the notary public's signature, the remaining sections of the form are left blank. This is insufficient to proceed in forma pauperis on appeal.

Specifically, Williams has not (1) shown any "inability to pay or to give security for fees and costs," (2) "claim[ed] an entitlement to redress," or (3) "state[d] the issues that [Williams] intends to present on appeal." Fed. R. App. P. 24(a)(1) ("[A] party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court. The party must attach an affidavit" that: shows in detail "the party's inability to pay or give security for fees and costs" as "prescribed by Form 4 of the Appendix of Forms;" "claims an entitlement to redress;" and "states the issues that the party intends to present on appeal."). In this case, Mitchell Williams has completely omitted most of the pertinent data required. The Court hereby denies Williams' Petition for Waiver of Fees/Costs for failure to comply with the requirements under Fifth Circuit Rules and Internal Operating Procedures (IOP) and Federal Rule of Appellate Procedure 24.

Signed this 21st day of April, 2015.



Andrew S. Hanen
United States District Judge